Hovsepian v. Apple, Inc. Doc. 161 Att. 8

EXHIBIT I

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PATENT
Attorney Docket No. 02473.0001-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#8/Ext of Time
Arnold B
R. Morgan

In re Application of:
Paul Yurt, et al.
Serial No. 07/862,508
Filed: April 2, 1992
For: AUDIO AND VIDEO TRANSMISSION AND RECEIVING SYSTEM

Group Art Unit: 2614
Examiner: S. Chin

Hon. Commissioner of Patents
and Trademarks
Washington, DC 20231

Sir:

AMENDMENT

In response to the Office Action dated August 12, 1992, the period of response to which extends through November 12, 1992, please amend the above-captioned application as follows:

IN THE CLAIMS:

Please add claims 33-36 as follows:

B, cont.

44 ~~33~~. A transmission system for providing information to be transmitted to remote locations, the transmission system comprising:

library means for storing items containing information;

identification encoding means for retrieving the information in the items from the library means and for assigning a unique identification code to the retrieved information;

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B1 cont.

conversion means, coupled to the identification encoding means, for placing the retrieved information into a predetermined format as formatted data;

ordering means, coupled to the conversion means, for placing the formatted data into a sequence of addressable data blocks;

compression means, coupled to the ordering means, for compressing the formatted and sequenced data blocks;

compressed data storing means, coupled to the data compression means, for storing as files the compressed, sequenced data blocks received from the data compression means with the unique identification code assigned by the identification encoding means; and

transmitter means, coupled to the compressed data storing means, for sending at least a portion of one of the files to a reception system at a head end of a cable television system over an optical fiber communication path for subsequent transmission over a cable communication path to one of the remote locations.

~~34~~ 5. A distribution method responsive to requests from a user identifying items in a transmission system containing information to be sent from the transmission system to receiving systems at remote locations, the method comprising the steps of:

storing, in the transmission system, information from items in a compressed data form, the information including an identification code and being placed into ordered data blocks;

sending a request, by the user to the transmission system, for at least a part of the stored information to be transmitted to

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a reception system associated with a receiving system at one of the remote locations selected by the user;

sending at least a portion of the stored information from the transmission system to the reception system over an optical fiber communication path;

receiving the sent information by the reception system;

storing a complete copy of the received information in the reception system; and

playing back the stored copy of the information sent over a cable communication path from the reception system to the receiving system at the selected remote location at a time requested by the user.

35. A receiving system responsive to a user input identifying a choice of an item stored in a source material library at a transmission system to be played back to a user at a location remote from the source material library, the item containing information to be sent from the transmission system to the receiving system, the receiving system comprising:

requesting means for transmitting to the source material library in the transmission system the identity of the item;

transceiver means, coupled to the requesting means, for receiving the item over an optical fiber communication path from the transmission system as at least one compressed, formatted data block;

receiver format conversion means, coupled to the transceiver means, for converting the at least one compressed, formatted data

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block into a format suitable for storage processing, and for playback at the receiver system;

storage means, coupled to the receiver format conversion means, for storing a complete copy of the formatted data;

decompressing means, coupled to the receiver format conversion means, and located at a head end of a cable television system, for decompressing the copy of the formatted data; and

output data conversion means, coupled to the decompressing means, for playing back the decompressed copy of the data, received over a cable communication path, at a time specified by the user and at a user receiver.

B1 cont.

37 ~~36~~. A transmission system for providing information to be transmitted to remote locations, the transmission system comprising:

library means for storing items containing information;

identification encoding means for retrieving the information in the items from the library means and for assigning a unique identification code to the retrieved information;

conversion means, coupled to the identification encoding means, for placing the retrieved information into a predetermined format as formatted data;

ordering means, coupled to the conversion means, for placing the formatted data into a sequence of addressable data blocks;

compression means, coupled to the ordering means, for compressing the formatted and sequenced data blocks;

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compressed data storing means, coupled to the data compression means, for storing as files the compressed, sequenced data blocks received from the data compression means with the unique identification code assigned by the identification encoding means; and

transmitter means, coupled to the compressed data storing means, for sending at least a portion of one of the files via an optical fiber communication path to one of the remote locations.

REMARKS

In the pending Office Action, the Examiner rejected claims 1, 18, and 22 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 19, and 25 of U.S. Patent No. 5,132,992 issued to Yurt et al. in view of PCT Publication No. WO 89/12370 of Monslow et al. (erroneously cited by the Examiner as Dickey).

Enclosed herewith is a Terminal Disclaimer disclaiming the terminal part of any patent granted on this application which would extend beyond the expiration date of U.S. Patent No. 5,132,992 obviating the obviousness-type double patenting rejection. Applicants request reconsideration and withdrawal of this rejection.

Applicants have also added new independent claims 33-36 in order to define the present invention more appropriately. New independent claims 33-35 are substantially identical to claims 1, 18 and 22 of the present application but highlight additional features of the present invention. Specifically, new independent

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claims 33-35 further define the transmission media (claim 33), the distribution media (claim 34) and the reception media (claim 35). New independent claim 36 is substantially similar to claim 1 and further defines that at least a portion of one of the files is sent via an optical fiber communication path to one of the remote locations. Applicants request allowance of these claims.

In view of the submission of a Terminal Disclaimer and the comments set forth above, Applicants request reconsideration and withdrawal of the obviousness-type double patenting rejection, allowance of claims 1, 18, 22 and 33-36 and issuance of this application.

If any fees are due in connection with the filing of this Amendment, the Commissioner is hereby authorized to charge any such fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
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By: [signature]
Doris J. Johnson
Reg. No. 34,629

Dated: January 12, 1993

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